

**LAWYER  
ABSENT,  
CONLEY'S  
CASE  
IS DELAYED**

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**Negro's Counsel  
Tuesday Will Demand  
Immediate Hearing,**

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# Attitude Surprises Dorsey.

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The absence from the city W. M. Smith attorney for Jim Conley, prevented the calling of Jim Conley's case Monday on the charge of being an accessory after the fact in the murder of Mary Phagan.

Smith declared before he left for Macon, where he will appear as counsel in a white slave case, that he would fight every further effort to delay the trial of Conley. He said that at once upon his return to Atlanta, he would file a demand upon the court for a speedy hearing for his client and would back up this demand with very resource at his command.

"I have no objection to the holding of Conley as a witness in the event that Frank is granted a new trial," said Smith.

## **Says State Can't Hold Negro.**

"They can hold him any reasonable length of time, so far as I am concerned but I will not stand for his trial being postponed from time to time. Conley is entitled to a speedy hearing, now that the trial of Frank is over, and he is going to get it unless I am greatly mistaken."

"He is not going to plead guilty to any charge. He is not going to make any confession. All this rot about his having something more to tell is the silliest sort of a rumor. He stands on the story that he told at the trial and he is ready to tell it again."

"I am willing to agree with the Solicitor on a statement of facts as they stand, but I am prepared to fight to come out in Conley's testimony on the last any attempt to convert the negro as an accessory after the fact. The State can't touch the negro. The law can not be interpreted to make him guilty either of a misdemeanor or a felony as an accessory."

### **Dorsey Is Surprised.**

The attitude of Attorney is believed to have astounded Solicitor Dorsey as greatly as it did the court and the general public.

Solicitor Dorsey said Monday that he was not at all worried by the fight that is being made against Conley's conviction. He expressed his belief that both indictments against the negro would stand up and that he would be convicted as an accessory after the fact without any difficulty.

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## **Dec. 15 Formally Set For Frank Argument.**

The attorneys for Leo Frank were served with notice Monday that Frank's appeal from Judge L. S. Roan's decision on the petition for a new trial had been received and filed in the office of Z. D. Harrison, Clerk of the Supreme Court, and would be in order for hearing on Monday, December 15.

Both sides will be prepared to argue as soon as the case is called. An effort was made by the defense to postpone the hearing, but the Supreme Court indicated it would submit to no delay, and it was expected the case would be set for hearing the middle of December.

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